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U.S. BANKRUPTCY COURT
TRENTON, NJ
BY _____ DEPUTY

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEW JERSEY

In re:

Rolf Doelling

Debtor(s)

Chapter 13 Proceedings

Case No. 17-31930

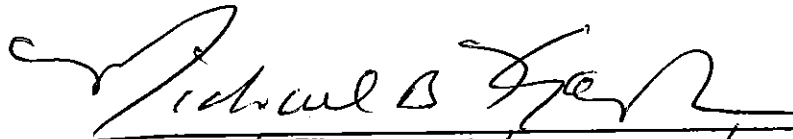
Judge: Michael B. Kaplan

Hearing Date: February 20, 2018

**ORDER GRANTING RELIEF SOUGHT IN DEBTOR'S MOTION
SEEKING ENTRY OF AN ORDER APPROVING THE SALE OF REAL
PROPERTY FREE AND CLEAR OF ALL LIENS, CLAIMS, INTERESTS,
AND ENCUMBRANCES, PURSUANT TO 11
U.S.C. §§ 105(a), 323(a) AND 363(b), (f) AND (m), AND 541; WAIVING
THE FOURTEEN DAY STAY PROVIDED BY F.R.B.P. 6004; AND
GRANTING RELATED RELIEF**

The relief set forth on the following pages, numbered two (2) through five (5), is hereby

ORDERED.



MICHAEL B. KAPLAN
USBJ

3/27/18

UPON the Motion for Debtor Rolf Doelling, by and through his counsel, George E. Veitengruber, III, Esq., and the verified application (the "Application") filed in support of the Motion, seeking entry of an order (i) authorizing the sale of real property 5 Thompson Street, West Long Branch NJ 07764 free and clear of all liens, claims, interests, and encumbrances, of the estate's interest in the West Long Branch Property, (ii) granting related relief all pursuant to sections 105(a), 323(a), 363(b), (f) and (m), and 541(a) of title 11 of the United States Code, 11 U.S.C. §§ 101, et seq. (the "Bankruptcy Code"), and Rules 2002 and 6004 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), and (iii) granting related relief; and the Court finding that (i) it has jurisdiction over the matters raised in the Motion, pursuant to 28 U.S.C. §§ 157 and 1334, (ii) this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2), (iii) the relief requested in the Motion is in the best interests of the Debtor's estate and its creditors, (iv) adequate notice of the Motion and the hearing thereon has been given and that no other or further notice is necessary, and (v) upon the record herein, after due deliberation thereon, good and sufficient cause exists for the granting of the relief as set forth herein;

IT IS HEREBY ORDERED that:

1. The Debtor's Motion be and hereby is granted in its entirety.
2. The agreement of sale (the "Agreement of Sale"), attached to the Application as Exhibit A, be and hereby is approved in its entirety.
3. The Debtor be and hereby is authorized to sell 5 Thompson Street, West Long Branch NJ

07764 to the Buyer or its assignee, ~~for the aggregate sum of \$~~ for the 

for the entire West Long Branch Property, free and clear of all liens (see #4 below), claims, interests, and encumbrances, pursuant to section 363(b), (f) and (m) of the Bankruptcy Code (the "Sale").

4. The sale of the property is free and clear of all liens except the lien of FV-I, Inc. in trust for Morgan Stanley Mortgage Capital Holdings, LLC, which shall be released upon the receipt of the proceeds of the sale in accordance with the terms of the short sale approval.
5. The Debtor is selling 5 Thompson Street, West Long Branch NJ 07764 "AS IS" and "WHERE IS" with no representations and/or warranties, including, but not limited to, any representation of any kind as to the condition or title.
6. The Sale as set forth above shall be defined as the "Transaction" herein.
7. The stay provisions under Bankruptcy Rule 6004 be and hereby are waived and therefore not applicable to this Sale.
8. The Buyer is deemed to be a good faith purchaser pursuant to 11 U.S.C. § 363(m).
9. The Transaction was negotiated, proposed, and entered into by the parties without collusion, in good faith, and arms-length bargaining position.
10. At the closing of the Sale, all non-exempt proceeds shall be paid to the Chapter 13 Trustee.
11. At closing of the Sale, all valid liens, claims or encumbrances against 5 Thompson Street, West Long Branch NJ 07764 attach to the proceeds of the Sale.
12. The Debtor is directed to execute all documents necessary to effectuate the sale to the Buyer.
13. The Seller will serve this Order on the Buyer, the United States Trustee's Office, and all parties who have filed a notice of appearance in this case, within seven (7) days of the entry of this Order.
14. To the extent there is any remaining personal property of the Debtor at the West Long Branch Property, the Debtor shall remove his personal assets and belongings on or before

the closing date. The Debtor shall leave the property in "broom clean" condition on the closing date.

15. The closing of title shall take place within thirty (30) days of the entering of this Order.

16. The Court shall retain exclusive jurisdiction with respect to all issues relating to the enforcement of this Order.